

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRADEN CHARLES LOSING,

Defendant.

CR 20-08-BLG-DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on May 7, 2020. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommended this Court accept Braden Charles Losing’s

guilty plea after Losing appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to prohibited person in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1) (Count I), and prohibited person in possession of a firearm, in violation of 18 U.S.C. § 922(g)(3) (Count II), as charged in the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 32), and I adopt them in full.

Accordingly, IT IS ORDERED that Braden Charles Losing's motion to change plea (Doc. 25) is GRANTED and Braden Charles Losing is adjudged guilty as charged in Counts I and II of the Indictment.

DATED this 26th day of May, 2020.



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Dana L. Christensen, District Judge  
United States District Court